

REMARKS

Claims 1-9, 12-24 and 26-28 are pending and under consideration in the above-identified application. Claims 10, 11 and 25 were cancelled previously.

In the Office Action, Claims 1-9, 12-24 and 26-28 were rejected.

With this Amendment, Claims 1, 8 and 16 are amended. No new matter has been introduced as a result of this Amendment.

Accordingly, Claims 1-9, 12-24 and 26-28 remain at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims 16 and 20

Claims 16 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosler ("Rosler '656") (U.S. Patent No. 4,509,656) in view of Nicholson.

Claim 16 is directed to a battery storage case, which includes a main body and a lid portion.

Amended Claim 16 recites that the main body has a first opening portion at one end and a bottom surface at the other end, and the lid portion has a second opening portion at one end and a head portion at the other end. The battery storage case comprises a first projection train formed *over substantially the whole length of the main body in an axial direction, and one or more annular projection rows* formed on the lid portion near the second opening portion. The *one or more annular projection rows* are adapted to engage the first projection train. The main body stores a battery. The outer surface of the main body is elastically inwardly deformed and the lid portion is elastically outwardly deformed when the first projection train contact the *one or more annular projection rows* during the insertion and the extraction of the main body into or out of the lid portion in a lengthwise direction without requiring a rotation of the main body relatively to the lid portion.

Referring to Applicants' Figure 3 as an illustrative example, Applicants' claimed invention comprises the battery storage case comprises a first projection train formed on an outer surface of the main body 110 near the first opening portion 122, and one or more annular

projection rows 166 formed around an inner surface of the lid portion 150, with the one or more annular projection rows 166 being adapted to engage the first projection train.

This is clearly unlike Rosler and Nicholson, which both fail to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

In fact, Rosler teaches in column 4, lines 24 – 49 and illustrates in at least FIG. 1, that (emphasis added):

“For the purpose of fixing or interlocking the members 1 and 2 relative to each other, the outer hollow member 1 is formed with corners which are rounded off and which have at each of these corners adjacent to the open end of the member 1 a web 5 which extends between two of the side walls which adjoin each other at one of the corners. The webs 5 extend transversely to the longitudinal direction or axis of the hollow member 1.

The inner hollow member 2 is provided at its corners, which are also rounded, with elevations 6 which project beyond the outer surfaces thereof, and the webs 5 and the elevations 6 form first and second interlocking means which interact or interlock with each other in the manner of locking teeth to fix the relative positions of the members 1 and 2.

Although in the embodiment shown in FIG. 1, the webs 5 are provided at all four corners of the outer hollow body 1, it may be sufficient in a smaller packing container or in a packing container having a square cross-sectional configuration to provide the elevations 6 only at diagonally opposite corners of the inner hollow body or member 2. In larger containers, particularly those with rectangular cross-sectional configurations, elevations 6 are however preferably provided at all four corners of the inner hollow body 2.”

Thus, in Rosler the webs 5 are positioned at most at all four corners of the outer hollow body rather forming annular projection rows. As such, Rosler '656 fails to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

For at least this reason and because Nicholson is discussed only with respect to the feature of storing objects in the casing, such as batteries, Claim 16 is patentable over Rosler and Nicholson, taken singly or in combination with each other, as are dependent claims to teach or suggest all of the limitations of Claim 1. Thus, Claim 16 is patentable over Rosler in view of Nicholson, as is dependent Claim 20 for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims 1 -7, 22 and 27 - 28

Claims 1-7, 22, and 27-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler and Redlinger.

Claim 1 has been amended to recite the same distinguishable limitation as that of Claim 16. As such, Claim 1 is patentable over Rosler and Nicholson. Redlinger is cited by the Examiner in reference to a lid. Moreover, in addition to Nicholson and Rosler, Redlinger also fails to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

Therefore, Nicholson, Rosler and Redlinger may not properly be combined to reject Claim 1. As such, Claim 1 is patentable over Nicholson, Rosler and Redlinger, as are dependent Claims 2 – 7, 22, and 27 - 28, for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

III. 35 U.S.C. § 103 Obviousness Rejection of Claims 21

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler (U.S. Patent No. 4,509,656) and Redlinger as applied to claim 1 above, and further in view of Shim (U.S. Patent No. D409,560) or Walus (U.S. Patent No. 3,881,601).

Claim 21 is dependent on Claim 16, shown above to be patentable over Rosler and Nicholson. Redlinger was discussed above as failing to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

Moreover, in addition to Nicholson, Rosler and Redlinger both Shim and Walus also fail to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

Therefore, Nicholson, Rosler, Redlinger and Shim or Walus may not properly be combined to reject Claim 16. As such, Claim 16 is patentable over Nicholson, Rosler, Redlinger and Shim or Walus, as is dependent Claim 26, for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

IV. 35 U.S.C. § 103 Obviousness Rejection of Claims 23

Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler (U.S. Patent No. 4,509,656) and Redlinger as applied to claim 1 above, and further in view of Lyons (U.S. Patent No. 5,829,591).

Claim 23 is dependent on Claim 1, shown above to be patentable over Rosler, Nicholson and Redlinger. Moreover, in addition to Nicholson, Rosler and Redlinger, Lyons also fails to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

Therefore, Nicholson, Rosler, Redlinger and Lyons may not properly be combined to reject Claim 1. As such, Claim 1 is patentable over Nicholson, Rosler, Redlinger and Lyons, as is dependent Claim 23, for at least the same reasons.

V. 35 U.S.C. § 103 Obviousness Rejection of Claims 8, 12 and 14

Claims 8, 12 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler (U.S. Patent No. 4,509,656) and either Shim or Walus.

Claim 8 has been amended to recite the same distinguishable limitation as that of Claim 16. As such, Claim 8 is patentable over Rosler and Nicholson. Moreover, in addition to Nicholson and Rosler, and as stated above both Shim and Walus fail to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

Therefore, Nicholson, Rosler and Shim or Walus may not properly be combined to reject Claim 1. As such, Claim 8 is patentable over Nicholson, Rosler and Shim or Walus, as are dependent Claims 12 and 14, for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

VI. 35 U.S.C. § 103 Obviousness Rejection of Claims 9, 13 and 15

Claims 9, 13 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler (U.S. Patent No. 4,509,656) and either Shim or Walus as applied to claim 8 above, and further in view of Redlinger.

Claims 9, 13 and 15 are dependent on Claim 8 shown above to be patentable over Rosler, Nicholson and either Shim or Walus. Redlinger was discussed above as failing to teach or suggest one or more annular projection rows formed around an inner surface of the lid portion, with the one or more annular projection rows being adapted to engage the first projection train.

Therefore, Nicholson, Rosler, Shim or Walus and Redlinger may not properly be combined to reject Claim 8. As such, Claim 8 is patentable over Nicholson, Rosler, Shim or Walus and Redlinger, as are dependent Claims 9, 13 and 15, for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

VII. 35 U.S.C. § 103 Obviousness Rejection of Claims 16 and 19 - 20

Claims 16 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler.

Claims 16 and 20 were shown above to be patentable over Nicholson and Rosler. Claim 19, being dependent on Claim 16, is also patentable over these two references, taken singly or in combination, for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

VIII. 35 U.S.C. § 103 Obviousness Rejection of Claim 17

Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicholson in view of Rosler as applied to claim 16 above, and further in view of Redlinger (U.S. Patent No. D433,562).

Claim 17, being dependent on Claim 16, shown above to be patentable over Nicholson, Rosler and Redlinger, is also patentable over these three references, for at least the same reasons.

Accordingly, Applicants respectfully request that the claim rejection be withdrawn.

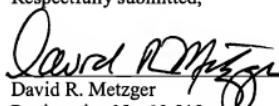
IX. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: Sept 5, 2007

By:



David R. Metzger
Registration No. 32,919
SONNENSCHEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000